

REMARKS

This response and election is in response to the Office Action, dated March 27, 2009 ("Office Action"). Examination of the claims in view of the ensuing remarks is respectfully requested.

In the Office Action, Examiner required election among aspects of the claimed invention described in Groups I-IV under 35 U.S.C. §§121 and 372. The Groups are as follows:

- I. Claims 4 and 8: drawn to a method of transdifferentiating a monocytic cell into an endothelial cell, comprising: providing a non-transgenic monocytic cell, and artificially increasing the expression of pleiotrophin ("PTN") in the non-transgenic monocytic cell such that the non-transgenic monocytic cell transdifferentiates into a non-transgenic endothelial cell;
- II. Claims 2-4 and 6-8: drawn to a method of transdifferentiating a monocytic cell into an endothelial cell, comprising: providing a monocytic cell transduced with a retrovirus expressing PTN, thereby artificially increasing the expression of PTN in the monocytic cell such that the transgenic monocytic cell transdifferentiates into a transgenic endothelial cell;
- III. Claim 9: drawn to a method of inhibiting neovascularization, comprising: providing a compound that inhibits the biological activity of PTN, and administering the compound to a mammal in a therapeutically effective quantity such that neovascularization is inhibited; and
- IV. Claim 10: drawn to a method of promoting neovascularization, comprising: providing a compound that enhances or promotes the biological activity of PTN, and administering the compound to a mammal in a therapeutically effective quantity such that neovascularization is promoted

Applicants hereby elect the embodiment of the instant invention described in **Group II** (*i.e.*, a method of transdifferentiating a monocytic cell into an endothelial cell, comprising: providing a monocytic cell transduced with a retrovirus expressing PTN, thereby artificially increasing the expression of PTN in the monocytic cell such that the transgenic monocytic cell transdifferentiates into a transgenic endothelial cell) for prosecution on the merits. **Claims 1-8** encompass the elected invention. Applicants reserve the right to pursue the unelected subject matter in one or more divisional applications.

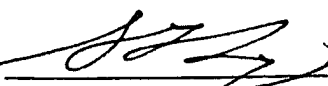
Examiner further concluded that each of the independent claims of the application (*i.e.*,

claims 1, 5, 9 and 10) are generic as to compounds that either increase or decrease endogenous PTN activity, and noted that the specification describes the following compounds: (1) small molecules, (2) peptides, (3) drugs, (4) antibodies, and (5) compounds that are present in the PTN signaling cascade. Examiner thus further required election among the aforementioned species of the claimed invention under 35 U.S.C. §§121 and 372. Applicants traverse this feature of the restriction requirement as being in error. While not conceding the merits of Examiner's position, Applicants recognize how Examiner could find that a species election *might* be appropriate with respect to claims 9 and 10, but Applicants do not believe that such an election is applicable to claims 1-8, particularly in light of Applicants' election of Group II, as set forth above. Thus, Applicants respectfully request reconsideration and withdrawal of at least this aspect of the restriction requirement.

The foregoing notwithstanding and in an effort to be responsive despite what Applicants perceive to be Examiner's error in connection with the restriction requirement as it relates to claims 1-8 and the election of Group II, Applicants hereby elect the species of **small molecules**, encompassing claims 1-8, for prosecution on the merits, and to which the claims shall be restricted if no generic claim(s) is finally held allowable.

All of the claims in the application are now believed to be allowable. Favorable consideration and a Notice of Allowance are earnestly solicited. If for any reason Examiner finds the application other than in condition for allowance, Examiner is requested to call either of the undersigned attorneys at the Los Angeles telephone number (213) 633-6800 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,
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